

**THIRTY-SIXTH DAY**

(Tuesday, March 24, 1953)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

A quorum was announced present.

The Invocation was offered by the Reverend W. H. Townsend, Chaplain, as follows:

Our Father, we thank thee that thou hast not dealt with us according to our sins, but according to thy loving kindness and tender mercies. We pray for a continuation of thy blessings that we may serve thee, our families, and our country in a manner that will be pleasing in thy holy sight. For Christ's sake. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Message From the House**

Hall of the House of Representatives.

Austin, Texas,  
March 24, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 50, Instructing and authorizing the Enrolling Clerk of the House of Representatives to make certain corrections on H. B. No. 278.

H. C. R. No. 25, Creating an in-

terim committee for the revision of school laws.

H. C. R. No. 48, Protesting the action of the Civil Aeronautics Board in ordering curtailment of first-class airline service.

Respectfully submitted,  
CLARENCE JONES,  
Chief Clerk, House of Representatives.

**Reports of Standing Committees**

Senator Weinert submitted the following reports:

Austin, Texas,  
March 23, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 73, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the committee substitute attached hereto do pass in lieu thereof, and be printed.

WEINERT, Chairman.

C. S. S. B. No. 73 was read the first time.

Austin, Texas,  
March 23, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We your Committee on State Affairs, to whom was referred H. B. No. 35, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass with five committee amendments and be printed.

WEINERT, Chairman.

Austin, Texas,  
March 23, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 241, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass with committee amendments and be printed.

WEINERT, Chairman.

Austin, Texas,  
March 23, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 242, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senator Secrest submitted the following report:

Austin, Texas,  
March 23, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 503, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SECREST, Chairman.

Senator Lane submitted the following report:

Austin, Texas,  
March 24, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. C. R. No. 30, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Senator Lock submitted the following report:

Austin, Texas,  
March 23, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred H. B. No. 111, have had same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do not pass, but that the attached committee substitute do pass in lieu thereof and be not printed.

LOCK, Chairman.

C. S. H. B. No. 111 was read the first time.

#### House Bill 503 Ordered Not Printed

On motion of Senator Parkhouse, and by unanimous consent, House Bill No. 503 was ordered not printed.

#### Senate Bill 295 on First Reading

Senator Fuller moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

#### Yeas—27

Aikin	Martin
Ashley	Moffett
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Willis

#### Absent

McDonald	Russell
Moore	Weinert

The following bill was then introduced, read first time, and referred to the committee indicated:

By Senator Fuller:

S. B. No. 295, A bill to be entitled "An Act amending Section 2 of Chapter 77, Acts of the 52nd Legislature, 1951 (codified as Section 2 of Article 895b in Vernon's Texas Penal Code) by adding a provision for the issuance of hunting licenses to nonresidents of this State entitling the holders to hunt migratory birds for a period of five consecutive days and fixing the fee for such licenses; and declaring an emergency."

To the Committee on Game and Fish.

#### Senate Resolution 167

Senator Phillips offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate, Hon-

orable R. A. (Bob) Bassett, of Richmond, Texas; and

Whereas, This distinguished visitor is the dean of Texas District Attorneys, having served continuously without opposition for thirty-one years as District Attorney of the 23rd Judicial District of Texas, which is the longest period of continuous service in the District Attorney's office in the history of our State; and

Whereas, Bob Bassett, as he is affectionately known by the bar and laymen of Texas alike, has many personal friends now serving as members of the Texas Senate; and

Whereas, We desire to welcome this distinguished visitor at the Capitol Building in the Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome and privileges of the floor for the day.

PHILLIPS  
ASHLEY  
LANE

The resolution was read and was adopted.

Senator Phillips presented the Honorable R. A. Bassett to the Members of the Senate.

#### Senate Resolution 168

Senator Willis offered the following resolution:

Whereas, The Tarrant County Medical Society has honored a fine gentleman and humanitarian, Dr. L. H. Reeves of Fort Worth, Texas, during a testimonial dinner on Tuesday, March 3, 1953, at the Hilton Hotel in Fort Worth, recognizing his many achievements in, and loyal service to, the medical profession and the State Medical Association during his fifty-two years as a general practitioner, as well as his great service to his church, community, State, and all mankind; and

Whereas, At this testimonial dinner Dr. Reeves was presented with a plaque by Dr. James H. Murphy in behalf of the Tarrant County Academy of General Practice, and with other gifts including a bag by Dr. H. O. Deaton. He was further honored with words of praise from his many friends and associates, including Dr. R. G. Baker of Fort Worth, chairman

of the Board of Councilors of the Texas Medical Association, and Dr. Truman Terrell of Fort Worth, president of the Texas Medical Association, and O. D. Crill, superintendent for the Gulf, Colorado and Santa Fe Railway; and

Whereas, This fine and noble gentleman expressed his appreciation to these many honors and praises by saying simply, "My friends, all of you, I thank you, I thank you, I thank you." Dr. Reeves, at the age of seventy-five, will represent Texas next month at the Western Hemisphere Conference of the World Medical Association at Richmond, Virginia; now, therefore, be it

Resolved, By the Senate of this Fifty-third Session of the Texas Legislature, that a special message of congratulations and good wishes be extended to Dr. L. H. Reeves for his fine and worthwhile service to humanity; and, be it further

Resolved, That an enrolled copy of this resolution be mailed to Dr. Reeves at his home in Fort Worth, Texas, in expression of our appreciation.

The resolution was read and was adopted.

#### Senate Resolution 169

Senator Ashley offered the following resolution:

Whereas, We are honored today to have in the gallery the High School group from Star High School of Mills County, accompanied by Mrs. Smith, Miss Burris, and Mr. Pruitt; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Ashley presented the class and teachers to the Members of the Senate.

**Senate Bills Nos. 280 and 281  
Re-referred**

On motion of Senator Lane, and by unanimous consent, S. B. No. 280 and S. B. No. 281 were withdrawn from the committee on Civil Jurisprudence and re-referred to the Committee on State Highways and Motor Traffic.

**Senate Bill 12 Laid on Table**

On motion of Senator Kelley, and by unanimous consent, Senate Bill No. 12 was laid on the table since the House Bill on the same subject has been passed by both Houses.

**House Bill 111 Ordered Not Printed**

On motion of Senator Lock, and by unanimous consent, House Bill No. 111 was ordered not printed.

**Senate Resolution 170**

Senator Colson offered the following resolution:

Whereas, We are honored today to have in the gallery the Senior Civics Class of the Kennard High School, accompanied by their Principal, Mr. Gerald H. Easterly; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Colson presented the class and Mr. Easterly to the Members of the Senate.

**Senate Resolution 171**

Senator Secrest offered the following resolution:

Whereas, We are honored today to have in the gallery 19 students of the sixth, seventh, and eighth grades of Nolanville Elementary School, accompanied by Jeff Lucas, sponsor, and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Secrest presented the class and Mr. Lucas to the Members of the Senate.

(President Pro Tempore in the Chair)

**Senate Resolution 172**

Senator Rogers of Travis offered the following resolution:

Whereas, We are honored today to have in the gallery 35 students of the seventh grade Social Studies class of John T. Allan Junior High School of Austin, Texas, accompanied by Mrs. Forster and Miss Johnson, their teachers, and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Rogers of Travis presented the class and their teachers to the Members of the Senate.

**Senate Resolution 173**

Senator Rogers of Childress offered the following resolution:

Whereas, We are honored today to

have as a visitor in the Senate, James Carroll (T.) Jones of Childress, Texas, who was quarterback of the Childress High School Bobcats; was voted "Top" High School Quarterback in 1948 in Texas; and lettered three years with the Longhorns at the University of Texas. In 1952 he led them to their Southwest Conference Championship, and was selected as the All-Southwest Conference Quarterback of the 1952 season; and

Whereas, He led the Longhorns at the Cotton Bowl game on January 1, 1953, and brought glory to the Longhorns and to the State of Texas; now, therefore, be it

Resolved, That we welcome this young man to the Senate of Texas, and that he be extended the privileges of the floor for the day.

The resolution was read and was adopted.

#### Bill Signed

The President pro tempore signed in the presence of the Senate after the caption had been read the following enrolled bill:

H. B. No. 166, A bill to be entitled "An Act amending Sections 1, 2, and 4, Acts of the 41st Legislature, Chapter 125, page 279, being also known as Sections 1, 2, and 4 of Article 2039a of Vernon's Revised Civil Statutes of Texas, 1925, to authorize service of citation on the Chairman of the State Highway Commission in this State in suits against nonresident operators of motor vehicles or motorcycles and the agent, servant, employee, heir, legal representative, executor, administrator, or guardian of such operator; providing a method of service, disposition and return of citation; providing for certification of acts by the Chairman of the State Highway Commission; and declaring an emergency."

(President in the Chair)

#### Senate Bill 2 on Third Reading

The President laid before the Senate as pending business on its third reading the following bill:

S. B. No. 2, A bill to be entitled "An Act providing for a Presidential Primary; providing for election of delegates to the National Convention; setting forth requirements for conduct

of elections; defining the rights, powers and qualifications of delegates."

The bill was read third time and was passed.

#### Record of Vote

Senators Hardeman and Lane asked to be recorded as voting "Nay" on final passage of S. B. No. 2.

#### Senate Joint Resolution 4 on Second Reading

Senator Fuller asked unanimous consent to suspend the regular order of business and that S. J. R. No. 4 be taken up for consideration at this time.

There was objection.

Senator Fuller moved to suspend the regular order of business to take up S. J. R. No. 4 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—21

Ashley	Parkhouse
Bell	Phillips
Colson	Rogers of Travis
Fuller	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Willis
Moore	

#### Nays—6

Aikin	Martin
Bracewell	McDonald
Hardeman	Wagonseller

#### Absent

Corbin	Rogers
Moffett	of Childress
	Weinert

The President then laid before the Senate for consideration at this time the following resolution:

S. J. R. No. 4, Proposing an amendment to the Constitution of the State of Texas to provide a four-year term of office for elective district, county and precinct offices; staggering the terms of such offices by having certain holders of such offices be elected for terms of varying length in the November, 1954, general election; and

providing for the necessary proclamation and election.

The resolution was read second time.

Senator Fuller offered the following committee amendment to the resolution:

Amend S. J. R. No. 4 by deleting Section 12 on pages 5 and 6 and substituting in lieu thereof the following new Section 12:

"Section 12. That Article XVI of the Constitution of the State of Texas be amended by adding thereto a Section 65, which shall read as follows:

"Sec. 65. At the general election to be held in November, 1954, and thereafter, the following officers shall be elected for the full terms provided in this Constitution:

(a) District Clerks (b) County Clerks (c) County Judges (d) Judges of County Courts-at-Law (e) County Treasurers (f) Criminal District Attorneys (g) County Surveyors (h) Inspectors of Hides and Animals (i) County Commissioners for Precincts Two and Four (j) Justices of the Peace.

"Notwithstanding other provisions of this Constitution, at such general election the following officers shall be elected only for terms of two years: (a) Sheriffs (b) Assessors and Collectors of Taxes (c) District Attorneys (d) County Attorneys (e) Public Weighers (f) County Commissioners for Precincts One and Three (g) Constables. At subsequent elections, such officers shall be elected for the full terms provided in this Constitution.

"In any district, county or precinct where any of the aforementioned offices is of such nature that two or more persons hold such office, with the result that candidates file for "Place No. 1, Place No. 2, etc.," the officers elected at the general election in November, 1954, shall be elected to a term of two years if the designation of their office is an uneven number, and to a term of four years if the designation of their office is an even number. Thereafter, all such officers shall be elected for the terms provided in this Constitution."

The committee amendment was adopted.

Senator Fuller offered the following committee amendment to the resolution:

Amend S. J. R. No. 4 by striking out Section 15.

The committee amendment was adopted.

Senator Fuller offered the following amendment to the resolution:

Amend S. J. R. No. 4, Section 13, line 3, by striking out the number "3rd" and inserting in lieu thereof the number "7th".

The amendment was adopted.

Senator Hardeman offered the following amendment to the resolution:

Amend S. J. R. No. 4, Section 13, page 3, line 41, by striking out the figure 1953 and insert in lieu 1954.

The amendment was adopted.

Senator Hardeman asked unanimous consent to reconsider the vote by which the previous amendment was adopted.

There was no objection offered.

Question: Shall the amendment by Senator Hardeman be adopted?

Senator Hardeman withdrew the amendment and offered the following amendment to the resolution:

Amend S. J. R. No. 4 as amended, Section 13, page 3, by striking out the words and figures "3rd day of November, A. D. 1953" and insert the following: "the general election day of November, A. D. 1954."

The amendment was adopted.

Question: Shall S. J. R. No. 4 be passed to engrossment?

#### Recess

On motion of Senator Aikin the Senate at 12:22 o'clock p. m. took recess until 2:45 o'clock p. m. today.

#### After Recess

The Senate met at 2:45 o'clock p. m. and was called to order by the President.

#### Senate Joint Resolution 4 on Second Reading

The Senate resumed consideration

of pending business, same being S. J. R. No. 4 on its second reading.

Question: Shall S. J. R. No. 4 be passed to engrossment?

S. J. R. No. 4 was passed to engrossment.

#### Record of Vote

Senators Hardeman and Aikin asked to be recorded as voting "Nay" on the passage of S. J. R. No. 4 to engrossment.

#### Motion to Place Senate Joint Resolution 4 on Third Reading

Senator Fuller moved that the Constitutional rule requiring resolutions to be read on three several days be suspended and that S. J. R. No. 4 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members of the Senate present):

#### Yeas—21

Bell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hazlewood	Rogers of Travis
Kazen	Russell
Kelley	Rutherford
Lane	Sadler
Latimer	Shireman
Lock	Strauss
Moore	Willis

#### Nays—7

Aikin	McDonald
Bracewell	Secrest
Hardeman	Wagonseller
Martin	

#### Absent

Ashley	Weinert
Moffett	

#### Senate Resolution 174

Senator Corbin offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Hon. Dudley Brummett, County Attorney of Lubbock County; and

Whereas, Mr. Brummett is on special business in the Capitol, and

Whereas, We desire to welcome this distinguished visitor to the Capitol

Building and Capital City; now therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

#### Report of Standing Committee

By unanimous consent Senator Colson submitted the following report:

Austin, Texas,  
March 19, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Penitentiaries, to whom was referred S. B. No. 217, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman

#### Committee Substitute House Bill 111 on Second Reading

On motion of Senator Lock and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

C. S. H. B. No. 111, A bill to be entitled "An Act appropriating money for the support of the judicial and executive branches of the State Government, for State aid to designated public junior colleges, for the two-year period beginning September 1, 1953, and ending August 31, 1955; authorizing and prescribing conditions, limitations, rules, and procedures, for allocating and expending the appropriated funds; and declaring an emergency."

The bill was read second time.

Senator Rogers of Travis offered the following amendment to the bill:

Amend committee substitute for House Bill No. 111 by adding to Article V thereof a new section numbered Section 38, reading as follows:

"Sec. 38. Additional appropriation for administrative salary increases.

"In addition to all other appropriations, there is hereby appropriated to each of the institutions and agencies to which an appropriation

is made in this article, for each fiscal year of the biennium ending August 31, 1955, out of any funds in the State Treasury not otherwise appropriated, an amount sufficient to increase the salaries of all administrative personnel employed at each institution or agency, including but not limited to all employees paid out of appropriations for General Operating Expenses, as follows:

"(a) For any salary not in excess of Three Thousand Dollars per year, there is appropriated an amount to provide a ten per cent increase;

"(b) For any salary in excess of Three Thousand Dollars per year, there is appropriated an amount to provide a ten per cent increase for the first Three Thousand Dollars; and that portion of any salary above Three Thousand Dollars per year shall not be increased by this appropriation.

"It is the purpose of this appropriation to increase the salaries of administrative officers and employees of each institution and agency by the amounts above specified, supplementing the appropriations elsewhere made and/or designated for such salaries, such increases to be paid in the same manner and by the same warrants as the other appropriations for such salaries are paid. This increase shall not apply to any salaries or portions thereof which are paid out of appropriations for Teaching Salaries, Instructional Salaries, or similar designations.

"The payment and disbursement of the increases provided for herein shall be governed by the applicable rules and riders contained in other sections and articles of this Act, except as such other provisions may conflict with the provisions of this section. To the extent that Section 27 of this article is in conflict with this section, the provisions of this section shall control. Any other limitations imposed by other provisions of this Act on the rate or amount of salary which may be paid to any individual or for any position for which this appropriation is made are hereby modified to conform to the increase granted in this section, and any maximum salary provided for in some other provision of this Act shall be considered to be the maximum there stated after it has been increased in accordance with the provisions of this section.

"The salaries of officers and em-

ployees who are paid wholly from funds other than the State funds appropriated in this article shall not be increased out of the appropriation made in this section. Salaries of officers and employees who are paid partially out of funds received from the Federal Government, political subdivisions, or any source other than out of such State funds, shall be increased in the proportion that the salary paid out of State funds bears to the total salary. All increases under this section are to be calculated on the basis of full-time employment, part-time salaries to be increased in the ratio they bear to like full-time employment.

"Each institution or agency affected by this section shall furnish to the Comptroller of Public Accounts, prior to September 1, 1953, a schedule of salaries paid to its administrative officers and employees for the period from February 1 through May 31, 1953, in such form as the Comptroller of Public Accounts may prescribe."

On motion of Senator Lock, the amendment was tabled by the following vote:

#### Yeas—22

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moore
Colson	Parkhouse
Fuller	Phillips
Hardeman	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Willis

#### Nays—8

Corbin	Rogers of Travis
Hazlewood	Russell
Moffett	Rutherford
Rogers	Wagnonseller
of Childress	

#### Absent

Weinert

Senator Moore offered the following amendment to the bill:

Amend Committee Substitute for S. B. No. 60 by striking out Item 1 under Texas Agricultural and Mechanical College System—Administrative and General Offices, in Article V—Agencies of Higher Education, page 167.

Senator Aikin moved to table the amendment.

Yeas and nays were demanded.

The motion to table prevailed by the following vote:

**Yeas—29**

Aikin	McDonald
Ashley	Moffett
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Weinert
Martin	Willis

**Nays—2**

Moore                      Wagonseller

Senator Wagonseller offered the following amendment to the bill:

Amend Committee Substitute for H. B. No. 111, Article II, page 15, Texas School for the Deaf, by adding another section to be known as Sec. 62.

"Section 62. In addition to the appropriations herein authorized there is hereby appropriated for Buildings and Repairs the sum of \$900,000 for the year ending Aug. 31, 1954, and \$900,000 for the year ending Aug. 31, 1955."

On motion of Senator Lock, the amendment was tabled.

**Record of Vote**

Senators Rogers of Travis and Wagonseller asked to be recorded as voting "nay" on the motion to table.

The bill was passed to third reading.

**Committee Substitute  
House Bill 111 on Third Reading**

Senator Lock moved that the Constitutional rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 111 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—30**

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis
McDonald	

**Nays—1**

Russell

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Senate Bill 130 on Second Reading**

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 130, A bill to be entitled "An Act creating 'Northeast Texas Municipal Water District,' a conservation district under Article XVI, Section 59, of the Constitution, comprising the territory contained within the cities of Mt. Pleasant, Jefferson, Avenger, Hughes Springs, Lone Star, Marshall, Ore City, Gilmer, Pittsburg, and Daingerfield, for the purpose of providing a source of water supply for municipal, domestic and industrial use and processing and transporting the same; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 130 on Third Reading**

Senator Aikin moved that the Constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 130 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

## Senate Bill 10 on Second Reading

On motion of Senator Bell and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 10, A bill to be entitled "An Act to amend Chapter 313, Acts of the 44th Legislature, Regular Session, 1935, as amended by Chapter 330, Acts of the 49th Legislature, Regular Session, 1945, codified as Article 1351a, Vernon's Penal Code of Texas, and relating to misuse of grazing or pasture land under one fence, by adding a new section to be known as Section 1-b, defining 'owner' and 'lessee' as used therein; providing a severability clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 10 on Third Reading

Senator Bell moved that the Constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 10 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Senate Bill 77 on Second Reading

On motion of Senator Hazlewood and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 77, A bill to be entitled "An Act repealing Articles 601 and 602, R.C.S. of Texas of 1925, thereby abolishing the present Board of Control and enacting a new Article 601, creating a new Board of Control; etc., and declaring an emergency."

The bill was read second time.

Senator Martin offered the following amendment to the bill:

Amend S. B. No. 77 by adding the following in line 48 after period:

"Said director shall be appointed with the advice and consent of the Senate."

The amendment was adopted by the following vote:

## Yeas—29

Aikin	McDonald
Ashley	Moffett
Bell	Moore
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis

## Nays—1

Parkhouse

## Absent

Rutherford

The bill, as amended, was passed to engrossment.

## Senate Bill 77 on Third Reading

Senator Hazlewood moved that the Constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 77 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—30

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis
McDonald	

## Absent

Rutherford

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Record of Vote

Senators Moffett and Russell asked to be recorded as voting "nay" on the final passage of S. B. No. 77.

## Senate Bill 81 on Second Reading

Senator Sadler asked unanimous consent to suspend the regular order of business to take up for consideration at this time S. B. No. 81.

There was objection.

Senator Sadler moved to suspend the regular order of business and take up S. B. No. 81 for consideration at this time.

The motion prevailed by the following vote:

## Yeas—28

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Sadler
Kazen	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Weinert
Martin	Willis
McDonald	

## Nays—1

Wagonseller

## Absent

Kelley Rutherford

The President laid before the Senate for consideration at this time, on its second reading and passage to engrossment, the following bill:

S. B. No. 81, A bill to be entitled "An Act amending Subdivision 38 of Article 1302, Chapter 1, Title 32, of the Revised Civil Statutes of Texas, 1925, as amended, so as to provide that private corporations may be created for, or, if presently created, may be so amended as to include one or more of the following purposes: namely, to establish and maintain an oil business and to establish and maintain a drilling business for the pro-

duction of oil, gas, or water; and declaring an emergency."

The bill was read second time.

Senator Sadler offered the following committee amendment to the bill:

Amend S. B. No. 81 by striking out all below the enacting clause and inserting in lieu thereof:

Section 1. That Subdivision 38 of Article 1302, Chapter 1, Title 32, of the Revised Civil Statutes of Texas, 1925, as amended, be so amended as to hereafter read as follows:

"Private corporations may be created for, or if presently created, may have their charters or permits to do business in Texas so amended as to provide for, the following purposes:

"To establish and maintain a drilling business, with authority to own and operate drilling rigs, machinery, tools and apparatus necessary in the boring, or otherwise sinking of wells in the production of oil, gas, or water, or either, and the purchase and sale of such goods, wares and merchandise used for such business; and, incidental to said primary purpose, to establish and maintain an oil business with authority to contract for the lease and purchase of the right to prospect for, develop and use coal and other minerals, petroleum and gas; also the right to erect, build and own all necessary oil tanks, cars and pipes necessary for the operation of the business of same."

Section 2. The fact that our existing laws do not empower a corporation primarily engaged in the drilling business to, incidental to said primary purpose, engage in the oil business, and the fact that such businesses are so interwoven and related and combination should be permitted, and the fact that drilling contractors in Texas are currently handicapped by the existing restrictive single purpose, and the fact that relief should be granted so that said purposes may be combined under one charter or permit to do business in Texas, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

The committee amendment was adopted.

Senator Sadler offered the following committee amendment to the bill:

Amend S. B. No. 81 by striking out all above the enacting clause and inserting in lieu thereof the following:

"An Act amending Subdivision 38 of Article 1302, Chapter 1; Title 32, of the Revised Civil Statutes of Texas, 1925, as amended, so as to provide that private corporations may be created for, or, if presently created, may have their charters or permits to do business in Texas so amended as to provide for, the following purposes: to establish and maintain a drilling business for the production of oil, gas, or water and, incidental to said primary purposes, to establish and maintain an oil, gas and mineral business; and declaring an emergency."

The committee amendment was adopted.

The bill, as amended, was passed to engrossment.

#### Senate Bill 81 on Third Reading

Senator Sadler moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 81 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—29

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Sadler
Kazen	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### Absent

Kelley Rutherford

The President then laid the bill be-

fore the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Bill 240 on Second Reading

On motion of Senator Ashley and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 240, A bill to be entitled "An Act to amend Article 1161, Revised Civil Statutes of Texas, 1925; providing for the appointment of a person to be city clerk, and assessor and collector of taxes; providing for the appointment of other officers of the city or town; providing for a good and sufficient bond for the city clerk; defining their duties and declaring an emergency."

The bill was read second time.

Senator Ashley offered the following committee amendment to the bill:

Amend Senate Bill 240, Section 1, 2nd paragraph, line 7 by inserting the following after the word "town,":  
"but in no event less than twice the largest amount collected at any one time in the preceding fiscal or calendar year, to be determined by the Board of Commissioners,"

The committee amendment was adopted.

The bill, as amended, was passed to engrossment.

#### Senate Bill 240 on Third Reading

Senator Ashley moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 240 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hazlewood
Ashley	Kazen
Bell	Kelley
Bracewell	Lane
Colson	Latimer
Corbin	Lock
Fuller	Martin
Hardeman	McDonald

Moffett	Rutherford
Moore	Sadler
Parkhouse	Secrest
Phillips	Shireman
Rogers	Strauss
of Childress	Wagonseller
Rogers of Travis	Weinert
Russell	Willis

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

(Senator Aikin in the Chair.)

#### Senate Bill 107 on Second Reading

On motion of Senator McDonald, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 107, A bill to be entitled "An Act amending Art. 17.05, Art. 17.06, Art. 17.11, Art. 17.16, Art. 17.17, Sec. 4 of Art. 17.25, Sec. 7 of Art. 17.25 and Sec. 9 of Art. 17.25 of Senate Bill 236, known as the Insurance Code, Acts 1951, 52nd Legislature: amending Art. 17.25 by adding thereto Sec. 22 requiring that every county mutual insurance company licensed and doing business under Chapter 17 of the Insurance Code at the effective date of this Act shall have until May 31, 1954, to comply with the requirements of this Act, that those companies which fail to so comply shall not thereafter issue new policies until such requirements are met but that those companies which fail to so comply may continue to operate under the Articles herein amended in so far as policies issued on or before May 31, 1954, are concerned and may be so licensed; providing severability; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 107 on Third Reading

Senator McDonald moved that the Constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 107 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The presiding officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—30

Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Russell
Hazlewood	Rutherford
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

## Nays—1

Aikin

## Message From the House

Hall of the House of Representatives,  
Austin, Texas,  
March 24, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 51, Inviting Colonel Royal N. Baker to address the Fifty-third Legislature at a Joint Session on Thursday morning, March 26th, at eleven-thirty.

The House has adopted the Con-

ference Committee Report on House Bill No. 34 by a vote of 134 yeas, 1 nay.

Respectfully submitted,  
CLARENCE JONES,  
Chief Clerk, House of Representatives.

## Senate Bill 182 on Second Reading

Senator Corbin asked unanimous consent to suspend the regular order of business to take up for consideration at this time S. B. No. 182.

There was objection.

Senator Corbin moved to suspend the regular order of business and take up S. B. No. 182 for consideration at this time.

The motion prevailed by the following vote:

## Yeas—25

Ashley	Moore
Bell	Phillips
Bracewell	Rogers
Colson	of Childress
Corbin	Rogers of Travis
Fuller	Russell
Hazlewood	Rutherford
Kazen	Sadler
Lane	Secrest
Latimer	Shireman
Lock	Strauss
McDonald	Wagonseller
Moffett	Willis

## Nays—4

Aikin	Martin
Hardeman	Parkhouse

## Absent

Kelley	Weinert
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The presiding officer laid before the Senate for consideration at this time, on its second reading and passage to engrossment, the following bill:

S. B. No. 182, A bill to be entitled "An Act amending Chapter 185, Acts of the Regular Session of the 48th Legislature, 1943, so as to authorize the Board of Directors of Texas Technological College at Lubbock, Texas, to select and convey to the City of Lubbock, a municipal corporation of Lubbock County, Texas, a tract of land, etc.; and declaring an emergency."

The bill was read second time.

Pending discussion of the bill by

Senator Hardeman, Senator Martin moved that the Senate stand adjourned until 10:30 o'clock a. m. tomorrow.

Yeas and nays were demanded.

The motion was lost by the following vote:

**Yeas—12**

Aikin	Latimer
Ashley	Martin
Bracewell	Moffett
Colson	Parkhouse
Hardeman	Phillips
Lane	Rutherford

**Nays—16**

Bell	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hazlewood	Russell
Kazen	Sadler
Lock	Secrest
McDonald	Shireman
Moore	Wagonseller
	Willis

**Absent**

Kelley	Weinert
Strauss	

Senator Corbin offered the following amendment to the bill:

Amend S. B. 182 by striking out the words "auditorium and coliseum" on lines 4 and 5, Sec. 4, page 3, of said bill and substituting in lieu thereof the words: "auditorium-coliseum."

The amendment was adopted.

Senator Corbin offered the following amendment to the bill:

Amend S. B. 182 by striking out the words "auditorium coliseum" in line 9, Section 1, on page 2 of said bill, and inserting in lieu thereof the following: "auditorium-coliseum."

The amendment was adopted.

Senator Corbin offered the following amendment to the bill:

Amend the caption to S. B. 182 by striking out the word "auditorium" in line eleven of the caption on page 1 and inserting in lieu thereof the following: "auditorium-coliseum."

The amendment was adopted.

The bill, as amended, was passed to engrossment.

**Record of Vote**

Senator Hardeman asked to be recorded as voting "nay" on the passage of S. B. No. 182 to engrossment.

**Motion to Place Senate Bill 182 on Third Reading**

Senator Corbin moved that the Constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 182 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

**Yeas—22**

Aikin	Rogers
Bell	of Childress
Bracewell	Rogers of Travis
Corbin	Russell
Fuller	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Latimer	Shireman
Lock	Strauss
McDonald	Wagonseller
Moffett	Willis
Moore	

**Nays—7**

Ashley	Martin
Colson	Parkhouse
Hardeman	Phillips
Lane	

**Absent**

Kelley	Weinert
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**Adjournment**

On motion of Senator Bracewell, the Senate at 5:13 o'clock p. m. adjourned until 10:30 o'clock a. m. tomorrow.

**THIRTY-SEVENTH DAY**

(Wednesday, March 25, 1953)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President pro tempore.

The roll was called and the following Senators were present:

Aikin	Corbin
Ashley	Fuller
Bell	Hardeman
Bracewell	Hazlewood
Colson	Kazen